IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MRS. JUSTICE K.HEMA

WEDNESDAY, THE 10TH JANUARY 2007 / 20TH PAUSHA 1928

Crl.Rev.Pet.No. 1808 of 2003(B)

CRA.138/2000 of SESSIONS COURT, KOTTAYAM
CC.207/1997 of JUDL.MAGISTRATE OF FIRST CLASS, PALA

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REVN. PETITIONER: ACCUSED

K.J.JOHNSON, KOCHUPARAMBIL,
P & T QUARTERS, PALA P.O., TELEPHONE
SUPERVISOR, O/O THE TELEPHONE EXCHANGE,
PALA.

BY ADV. SRI.P.BABU KUMAR

RESPONDENTS: COMPLAINANTS

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1. STATE OF KERALA, REPRESENTED BY
DIRECTOR PUBLIC PROSECUTION,
HIGH COURT OF KERALA, ERNAKULAM.

2. VINOJ THOMAS, PARACKAL HOUSE,
MOONILAVU P.O.

R2 BY ADV. SRI.K.G.ANIL BABU
R1 BY PUBLIC PROSECUTOR SRI.C.K. SURESH

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 10/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K. HEMA, J.

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Crl.R.P. No.1808 of 2003

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Dated this the 10th day of January, 2007.

ORDER

Revision Petitioner is the accused in C.C No. 207 of 1997 on the file of the Judicial First Class Magistrate Court, Pala. Second respondent is the complainant therein. Revision petitioner was convicted and sentenced by the Magistrate's Court to undergo simple imprisonment for a period of three months under section 138 of the Negotiable Instruments Act. In appeal filed by him, the conviction was confirmed and the sentence was modified by the Sessions Court, Kottayam. This revision arises from the said conviction and sentence.

2. At the time of hearing, both sides submitted that a petition as Crl.M.A.No.13259/2006 is filed for compounding the offence. It is also submitted by both sides that the matter is settled out of court amicably between the parties and the amount is also paid by the petitioner to the satisfaction of the second respondent-complainant. On hearing both sides and on going through the averments in the petition, I am satisfied that this is a fit case to grant permission to compound the offence.

In the result, the Revision Petitioner is acquitted of offence under section 138 of the Negotiable Instruments Act, as offence is compounded. He is set at liberty forthwith.

Crl. M.A.No.13259/2006 and Revision Petition are allowed.

Krs. **K. HEMA, JUDGE.**

K. HEMA, J.

Crl.R.P.1808 of 2003

ORDER

10.1.2007